

REMARKS

Applicants respectfully request the Examiner to consider the following remarks regarding the presently claimed invention. There are 4 independent claims pending, claims 1, 29, 46, and 47. The claims dependent upon an independent claim further limit the independent claim; therefore, conferring patentability to an independent claim will render the claims dependent therefrom patentable.

As set forth in claims 1 and 29, Applicants have found a highly breathable unitary absorbent core comprising a fibrous absorbent layer having a "lower surface with a hydrophobic vapor-transmissive moisture barrier integral with the lower surface of the absorbent layer" as in claims 1 and 29. The moisture barrier allows for the transmission of vapors but does not allow liquid materials to pass (specification ¶0018). The ability to transmit vapors and not liquids is achieved because a continuous film over the lower surface of the absorbent layer is not formed (specification ¶0061). Instead, the "vapor-transmissive moisture barrier integral with the lower surface" means that the barrier material at least partially coats at least some of the individual fibers of the absorbent layer (specification ¶0061). The absorbent layer remains vapor transmissive because partially coating at least some of the individual fibers leaves substantially open the pore structure between the untreated fibers (specification ¶0061).

Applicants in claims 46 and 47 claim a breathable material having a surface with a hydrophobic vapor-transmissive moisture barrier integral therewith." This breathable material is similarly vapor transmissive and imparts the same advantages as the unitary absorbent core of claims 1 and 29.

The presently claimed unitary absorbent core is desirable for use in an absorbent product. It is thinner and less expensive to manufacture than most absorbent products and allows for simple conversion into a finished product. Specifically, "the unitary structure is constructed by assembling the strata in a continuous manner in a series of unit operations which results in the production of the unitary absorbent core" (specification ¶0047). "[T]he unitary absorbent core is produced in a continuous manner using airlaid technology, where an individual forming head provides material for

a single application of a froth or foam which produces the vapor-transmissive moisture barrier, and may include compression and calendaring and drying operations" (specification ¶0047). In contrast to the prior art, "[t]he strata of the unitary structure is not an assembly or laminate of preformed layers or plies which are assembled on a converting line" (specification ¶0047). None of the prior art references cited herein provide for the production of a unitary absorbent core as described in the specification.

Applicants also note that none of the prior art references cited in the April 3, 2003 Office Action teach or suggest a "hydrophobic vapor-transmissive moisture barrier integral with the lower surface of an absorbent layer" as presently claimed. Here, it is impermissible to pick and choose some of the claimed features from the prior art where none of the prior art disclose the inventive unitary absorbent core or the breathable material of the independent claims. One having ordinary skill in the art viewing the prior art cited herein, would not be able to arrive at the presently claimed invention without the benefit of impermissible hindsight vision afforded by the presently claimed invention. *Hodosh v. Block Drug Co., Inc.*, 786 F.2d 1136, 1143, n.5, 229 USPQ 182, 187, n.5 (Fed. Cir. 1986).

In addition, there is no motivation to combine or modify the teachings of the prior art either explicitly, or implicitly, or in the knowledge generally available to one of ordinary skill in the art, to produce the presently claimed invention. *In re Rouffet*, 149 F.3d 1350, 1357, 47 USPQ2d 1453, 1457-58 (Fed. Cir. 1998) (finding that a rejection based on a *prima facie* case of obvious was improper where the combination of references taught every element of the claimed invention, but lacked a motivation to combine). None of the prior art references cited provide any motivation to combine or modify the teachings therein to arrive at unitary absorbent core comprising a fibrous absorbent layer having a "lower surface with a hydrophobic vapor-transmissive moisture barrier integral with the lower surface of the absorbent layer" as presently claimed. Accordingly, the prior art references do not render the presently claimed invention obvious.

In the outstanding Office Action, claims 1-50 stand rejected under 35 U.S.C. § 103(a) as obvious in view of the prior art. Each of the obviousness rejections are addressed below.

I. HOEY IN VIEW OF LARIVIERE

Claims 1-9, 24, 25, 26, 27, 28, 29, 31, 33, 34, 44, and 45 stand rejected as obvious over U.S. Patent No. 4,000,028 to Hoey ("Hoey") in view of U.S. Patent No. 6,515,195 to Lariviere ("Lariviere"). The Examiner notes that Hoey does not disclose (1) a unitary absorbent core having a basis weight of about 75 gsm or greater, (2) an absorbent layer comprising natural fibers, synthetic fibers, or a mixture thereof, (3) an absorbent core comprising from about 5 to about 90 % by weight of super-absorbent polymer (SAP), (4) a core density of from about 0.03 to about 0.7 g/cc and 0.04 to about 0.3 g/cc, (5) a moisture barrier having a structure with fibers coated with hydrophobic material, and (6) an absorbent core comprising a microporous backsheet. The Examiner contends that Lariviere discloses each of these insufficiencies of Hoey.

Applicants respectfully traverse this rejection.

Hoey in view of Lariviere does not render the claimed invention obvious. The Examiner admits that at least six of the presently claimed features not found in Hoey are found in Lariviere. It is impermissible to pick and choose from Lariviere only so much of it as will allegedly support a conclusion of nonobviousness.

Even if combined in the manner proposed in the Office Action, the resulting structure would not realize the advantages or benefits of the presently claimed invention. That is, neither Hoey nor Lariviere teach or suggest "a hydrophobic vapor-transmissive moisture barrier *integral* with the lower surface of the absorbent layer" as set forth in independent claims 1 and 29.

Furthermore, the citation in the Office Action (top of p. 4) to a "moisture barrier" structure of Lariviere which substantially includes fibers coated with hydrophobic material refers to the cover layer of the sanitary napkin (Lariviere, col. 4, lines 45-50). The cover layer is designed for rapid fluid transfer. (Lariviere, col. 4, lines 41-45). By way of contrast, independent claims 1 and 29 include "a hydrophobic vapor-transmissive moisture barrier integral with the lower surface of the absorbent layer," so designed to *stop* liquid from flowing out of the absorbent core while still allowing breathability. Thus, combination of the prior art achieves no advantage greater than that

already noted in the references. Accordingly, the rejection of claims 1-9, 24, 25, 26, 27, 28, 29, 31, 33, 34, 44, and 45 as obvious over Hoey in view of Lariviere should be withdrawn.

II. HOEY IN VIEW OF VANGOMPEL, ET AL.

Claims 10, 11, and 12 stand rejected under 35 U.S.C. §103(a) as obvious over Hoey in view of U.S. Patent No. 6,132,410 to Van Gompel, *et al.* ("Van Gompel"). The Examiner contends Hoey does not disclose an absorbent core having a hydrohead of 30mm or more. Van Gompel purportedly discloses this limitation (col. 8, lines 50-60).

Applicants respectfully traverse this rejection.

Hoey in view of VanGompel does not render the presently claimed invention, considered as a whole, obvious. VanGompel discloses a back sheet that can support a hydrohead of at least 45cm without leakage (col. 8, lines 55-58), and clearly does not suggest "a unitary absorbent core having a hydrohead" in the amounts of the presently claimed invention. Also, Hoey and VanGompel both do not disclose "a hydrophobic vapor-transmissive moisture barrier integral with the lower surface of the absorbent layer" as recited in claim 1 from which claims 10, 11, and 12 depend. Thus, even if combined, the resulting structure would not realize the advantages or benefits of the presently claimed invention. Accordingly, Hoey in view of VanGompel do not render claims 10, 11, and 12 obvious. Applicants respectfully request that the examiner withdraw the rejection.

III. HOEY IN VIEW OF FERGUSON, ET AL.

Claims 13, 14, and 15 stand rejected under 35 U.S.C. §103(a) as obvious over Hoey in view of U.S. Patent No. 4,341,217 to Ferguson, *et al.* ("Ferguson"). The Examiner contends that Hoey does not disclose an absorbent core that has a strikethrough of 0.7g or less, but that Ferguson discloses a bleed-through quantity of less than about 0.075g (col. 7, lines 8-12).

Applicants respectfully traverse this rejection.

Hoey in view of Ferguson does not render the presently claimed invention obvious. Ferguson does not teach "a hydrophobic vapor-transmissive moisture barrier integral with the lower surface of the absorbent layer" (see claim 1 from which claims 13, 14 and 15 depend), but instead

discloses an absorbent core encased in a homogeneous outer wrap. It is impermissible to pick and choose from Ferguson to the exclusion of the other parts necessary to a full appreciation of what the reference fairly suggests to one skilled in the art. Hoey, as noted above, also does not disclose “a hydrophobic vapor-transmissive moisture barrier integral with the lower surface of the absorbent layer” as claimed in claim 1. Therefore, even if Hoey and Ferguson were combined, the resulting structure would not realize the benefits of the claimed invention. Accordingly, Applicants respectfully request that the examiner withdraw the rejection because Hoey in view of Ferguson do not render claims 13, 14, and 15 obvious.

IV. HOEY IN VIEW OF LASKO, *ET AL.*

Claim 16 stands rejected under 35 U.S.C. §103(a) as obvious over Hoey in view of U.S. Patent No. 6,277,104 to Lasko, *et al.* ("Lasko"). The Examiner contends that Lasko discloses an absorbent core has an air permeability of $18\text{m}^3/\text{min}/\text{m}^2$ ($60\text{ft}^3/\text{min}/\text{ft}^2$) or greater (see Abstract).

Applicants respectfully traverse this rejection.

Hoey in view of Lasko does not render the presently claimed invention obvious. Lasko leads away from the purported teaching because it discloses barrier structures having an air permeability of $18\text{m}^3/\text{min}/\text{m}^2$ ($60\text{ft}^3/\text{min}/\text{ft}^2$) or greater, with an absorbent structure there between (col. 4, lines 55-57). Lasko clearly does not suggest providing air permeability in the unitary absorbent core. In addition, the air permeable barrier structure of Lasko is adjacent to the absorbent core (col. 6, lines 2-18; col 12, line 55), and not integral with the lower surface of the absorbent layer. Thus if combined, Hoey and Lasko would not realize the benefits of claim 1 from which claim 16 depends, *e.g.*, a unitary absorbent core having “a hydrophobic vapor-transmissive moisture barrier integral with the lower surface of the absorbent layer.” It is impermissible to pick and choose from Lasko only so much of it as will allegedly support a conclusion of nonobviousness. Accordingly, Hoey in view of Lasko does not render claim 16 obvious. Applicants respectfully request the Examiner to withdraw this rejection.

V. HOEY IN VIEW OF KEUHN, JR., *ET AL.*

Claims 17, 18, 19, and 20 stand rejected under 35 U.S.C. §103(a) as obvious over Hoey in view of U.S. Patent No. 6,238,379 to Keuhn Jr., *et al.* ("Keuhn"). The Examiner contends that Hoey fails to disclose, and Keuhn discloses, an absorbent article with an absorbent core that has a water transmission rate of 3000 g/m²/24 hr or greater (col. 10, lines 30-45).

Applicants respectfully traverse this rejection.

Hoey in view of Keuhn does not render the presently claimed invention obvious to one having ordinary skill in the art. Keuhn teaches away from the presently claimed invention as the water transmission rate of 3000 g/m²/24 hr or greater is imparted by a backsheet (col. 10, lines 30-45) and not a "unitary absorbent core" as presently claimed in independent claim 1, and claims 17-20 dependent thereon. In addition, even if Hoey and Keuhn were combined in the manner proposed, the resulting structure would not achieve the advantages of claims 17-20 in the present invention; namely, a unitary absorbent core having a "water vapor transmission rate of 500 g/m²/24 hr, or greater;" and a unitary absorbent core set forth in claim 1 having "a lower surface with a hydrophobic vapor-transmissive moisture barrier integral" therewith. It is impermissible to pick and chose from Keuhn only so much of it to allege obviousness to the exclusion of other parts necessary to a full appreciation of that the reference suggests. Accordingly, applicants respectfully request that the Examiner withdraw the rejection of claims 17, 18, 19, and 20 under 35 U.S.C. §103(a).

VI. HOEY IN VIEW OF LUBNIN, ET AL.

Claim 36 stands rejected under 35 U.S.C. §103(a) as obvious over Hoey in view of U.S. Patent No. 6,020,438 to Lubnin, *et al.* ("Lubnin"). The Examiner contends that Hoey does not disclose an emulsion polymer that includes a hydrophobicity agent, but that Lubnin satisfies this insufficiency because Lubnin discloses a supported vinyl chloride emulsion polymer and process for making the same.

Applicants respectfully traverse this rejection.

Lubnin, in its entirety, does not address the problem solved by the claimed invention, or appreciate its advantages, that is, "applying to the lower surface of the fibrous absorbent layer, a hydrophobic material which at least partially coats at least some of the fibers of the lower surface of

the absorbent layer” to achieve a unitary absorbent core with “a lower surface with a hydrophobic vapor-transmissive moisture barrier” (see claim 29 from which claim 36 depends). Therefore, even if Lubnin and Hoey were combined as suggested, the combination would not achieve the benefits of the presently claimed invention.

For these reasons, applicants respectfully request that the examiner withdraw the rejection of claim 36 under 35 U.S.C. §103(a) over Hoey in view of Lubnin.

VII. HOEY IN VIEW OF CHEN, ET AL.

Claim 37 stands rejected under 35 U.S.C. §103(a) as obvious over Hoey in view of U.S. Patent No. 6,486,379 to Chen, *et al.* ("Chen"). The Examiner contends that it would be obvious to one having skill in the art that the nonwoven fibrous absorbent layer produced by an air laid process of Chen be used in Hoey's invention to provide a stronger absorbent core.

Applicants respectfully traverse this rejection.

Chen, in its entirety, when combined with Hoey, does not support a conclusion of obviousness of the presently claimed invention. Chen teaches combination of separately formed materials; including, among others upper, central, lower absorbent members (col. 2, lines 1-25). Chen fails to recognize the advantages of the present invention as a whole, that is, “a process for the production of a unitary absorbent core...with a hydrophobic vapor-transmissive moisture barrier integral with the lower surface of the absorbent layer” (see claim 29 from which claim 37 depends).

Also, the combination of Hoey and Chen would render the Hoey unworkable for its intended purpose. The absorbent layer of Hoey is preferably a non-textile such as wood-pulp wadding so that the material disintegrates upon flushing into the sewage system (see Abstract). Combining the multi layer absorbent article of Chen, “to provide a stronger absorbent core” as suggested in the Office Action, would change the essential nature of Hoey (*i.e.*, would likely render the absorbent layer of Hoey unflushable).

Accordingly, the rejection of claim 37 over Hoey in view of Chen should be withdrawn.

VIII. YONG, ET AL.

Claims 38 and 39 stand rejected under 35 U.S.C. §103(a) as obvious over U.S. Patent No. WO 02/11655A2 Yong, *et al.* The Examiner contends that it would be obvious to one having skill in the art to use an absorbent core comprising three or more fibrous strata of Yong in Hoey's invention to provide a stronger absorbent core.

Applicants respectfully traverse this rejection.

The combination of Yong with Hoey would render Hoey unworkable for its intended purpose. Yong teaches an absorbent core comprises three or more fibrous strata, while Hoey teaches an absorbent layer that disintegrates upon flushing. The combination if resulting in "a stronger absorbent core" as suggested in the Office Action, would likely not disintegrate upon flushing due to the added strength, rendering Hoey unworkable for its intended purpose. In addition, both Hoey and Yong fail to suggest to one having skill in the art the elements recited in independent claim 29, and claims 38 and 39 dependent therefrom, *e.g.*, "a process for the production of a unitary absorbent core...with a hydrophobic vapor-transmissive moisture barrier integral with the lower surface of the absorbent layer." Accordingly, applicants respectfully request that the Examiner withdraw the rejection of claims 38 and 39 under 35 U.S.C. §103(a) as obvious over Hoey in view of Yong.

IX. HOEY IN VIEW OF ROSLANSKY, ET AL.

Claims 21, 22, 23, 46, and 47 stand rejected under 35 U.S.C. §103(a) as obvious over Hoey in view of U.S. Patent No. 6,371,950 to Roslansky, *et al.* ("Roslansky"). The Examiner contends that Hoey does not disclose an absorbent core that has a barrier effectiveness value of 75 mm or greater, and that Roslansky discloses a male incontinence article having an absorbent core with a barrier effectiveness value of 75mm or greater.

Applicants respectfully traverse this rejection.

Hoey in view of Roslansky does not render the presently claimed invention obvious. There is no disclosure in Roslansky of a barrier effectiveness value of 75mm or greater. Barrier

effectiveness value is calculated from the combination of hydrohead and strikethrough (specification ¶¶ 0212, 0213). Instead, Roslansky teaches an incontinence article having a capacity of urine of 50-500g (col. 9, lines 1-7).

Even if Hoey was considered in view of Roslansky, both references fail to realize the advantages of the presently claimed invention, *e.g.*, "a barrier effectiveness value of 30mm or greater" (see claim 21), and a unitary absorbent core having a lower surface with "a hydrophobic vapor-transmissive moisture barrier integral with the lower surface of the absorbent layer" see claim 1 from which claims 21-23 depend. Also, the absorbent layer of Hoey and the incontinence article of Roslansky fail to suggest a "breathable...material...having a surface with a hydrophobic vapor-transmissive moisture barrier integral therewith" (see claims 46 and 47). The modification of Hoey in view of Roslansky to arrive at the presently claimed invention is not suggested by the references themselves. Therefore, applicants respectfully request withdrawal of the rejection of claims 21, 22, 23, 46, and 47 under 35 U.S.C. §103(a) over Hoey in view of Roslansky.

X. LUBNIN IN VIEW OF PAUL, *ET AL.*

Claim 40 stands rejected under 35 U.S.C. §103(a) as obvious over Lubnin in view of U.S. Patent No. 6,503,525 to Paul, *et al.* ("Paul").

Applicants respectfully traverse this rejection.

Paul in its entirety makes no such suggestion of achieving the problem solved by the claimed invention. Paul teaches separately formed materials which must be combined and adhered to form a product (col. 40, lines 42-51).

The combination of Lubnin, teaching vinyl chloride emulsion polymers, with Paul, disclosing as one of its separately formed materials, a top sheet with a basis weight of 22 grams per square meter (col. 13, lines 22-26), is evidence of picking and choosing from the references only so much of them as will support an alleged conclusion of obviousness. No where in Lubnin or Paul is suggested "a process for the production of a unitary absorbent core...having...a lower surface with a hydrophobic vapor-transmissive moisture barrier integral with the lower surface of the absorbent layer" as set forth in claim 29, and claim 40 dependent therefrom. One having ordinary skill in the

art would not be able to arrive at claim 40 without the benefit of impermissible hindsight vision afforded by the presently claimed invention.

Accordingly, these references, taken out of context make no such suggestion to combine so as to address the problem solved by the claimed invention. For these reasons, applicants respectfully request withdrawal of the rejection of claim 40 as obvious over Lubnin in view of Paul.

XI. HOEY IN VIEW OF ROE, *ET AL.*

Claim 48 stands rejected under 35 U.S.C. §103(a) as obvious over Hoey in view of U.S. Patent No. 6,384,296 to Roe, *et al.* ("Roe"). The Examiner contends that it would be obvious to use the disposable article of Roe having a responsive system including an electrical actuator with Hoey to provide a stronger absorbent article.

Applicants respectfully traverse this rejection.

Roe does not suggest achievement of the presently claimed invention to one skilled in the art because Roe is not pertinent to the problem to be solved. Roe teaches a disposable article comprising a responsive system having a sensor, an electrical actuator, and a feedback control loop (col. 23, lines 42-43). The responsive system is employed as a bodily waste isolation device (col. 2, lines 13-18). Accordingly, even if Hoey and Roe were combined in the manner proposed by the Examiner (which itself is improper) the resulting structure would not realize the advantages or benefits of the presently claimed invention. Applicants respectfully request withdrawal of the rejection of claim 48 under 35 U.S.C. §103 over Hoey in view of Roe.

XII. HOEY IN VIEW OF GRAEF, *ET AL.*

Claim 49 stands rejected under 35 U.S.C. §103(a) as obvious over Hoey in view of U.S. Patent No. 6,525,240 to Graef, *et al.* ("Graef I"). The Examiner contends it would be obvious to one having skill in the art to use the unitary stratified composite where the nonwoven structure comprises about 50 to 99 % by weight of natural fibers in Graef I in Hoey's invention to provide a stronger absorbent core.

Applicants respectfully traverse this rejection.

Hoey and Graef I jointly do not teach the advantages of the presently claimed invention. Here, if combined in the manner proposed, the resulting structure would not realize "a breathable, partially fibrous or non-fibrous non-woven material or structure...having a surface with a hydrophobic vapor-transmissive moisture barrier integral therewith," (see claim 47) "wherein the material or structure is a combination comprising from about 50 to about 99 percent by weight of natural fibers, synthetic fibers or a mixture thereof" (see claim 49, dependent upon claim 47) Hoey teaches an absorbent layer, preferably a non-textile, so that it disintegrates upon flushing into a sewage system (see Abstract). By way of contrast, Graef I teaches a unitary stratified composite that can be manufactured and delivered in web form, where the first stratum serves as a liquid acquisition stratum and the second stratum serves to withdraw liquid from the first stratum and further serves as a temporary storage stratum (see col. 16, lines 9-25, and Abstract). It is possible that the combination of the stratified composite in web form of Graef I, in view of Hoey, would as the Office Action suggests, "provide a stronger absorbent core." As a result, the combination may render Hoey unworkable (*i.e.*, unable to disintegrate upon flushing) for its intended purpose. Accordingly, applicants respectfully request withdrawal of the rejection of claim 49 as obvious under Hoey in view of Graef I.

XIII. HOEY IN VIEW OF SHIRAYANAGI, ET AL.

Claim 50 stands rejected under 35 U.S.C. §103(a) as obvious over Hoey in view of U.S. Patent No. 5,366,792 to Shirayanagi, *et al.* ("Shirayanagi"). The Examiner contends that Shirayanagi discloses a laminated three layer nonwoven fabric with improved interface and a unitary process for producing the same, and that it would be obvious that the material or structure used in Hoey's invention be produced in a unitary process in order to provide a strong absorbent core.

Applicants respectfully traverse this rejection.

Hoey and Shirayanagi jointly do not teach the advantages of the presently claimed invention. Here, even if combined in the manner proposed, the resulting structure would not realize the limitation of claim 47, and claim 50 dependent therefrom, that is, "a breathable, partially fibrous

or non-fibrous non-woven material or structure... having a surface with a hydrophobic vapor-transmissive moisture barrier integral therewith" (see claim 47) "wherein the material or structure has been produced in a unitary process" (see claim 50). While Shirayana teaches coupling of layers of non-woven fabric as a unitary structure (col. 3, lines 9-11), Shirayanagi provides no teaching of the unitary structure having a surface with a hydrophobic vapor-transmissive moisture barrier integral therewith. In addition, the absorbent layer of Hoey preferably disintegrates upon flushing. The suggestion in the Office Action to combine Hoey in view of Shirayanagi to "provide a strong absorbent core" would likely clog a sewage system rendering Hoey unworkable for its intended purpose. Thus, Shirayanagi combined with Hoey would not realize the benefits of the presently claimed invention. Accordingly the rejection of claim 50 as obvious under Hoey in view of Shirayanagi should be withdrawn.

XIV. HOEY IN VIEW OF GRAEF, *ET AL.*

Claim 41 stands rejected under 35 U.S.C. §103(a) as obvious over Hoey in view of U.S. Patent Application Publication No. 2002/0007169 A1 to Graef, *et al.* ("Graef II"). The Examiner contends that it would be obvious to use the fibrous stratum containing 50 % or more of eucalyptus fibers disclosed in Graef II in Hoey's invention in order to provide a stronger absorbent core.

Applicants respectfully traverse this rejection.

Hoey and Graef II jointly do not teach the advantages of the presently claimed invention. Here, if combined in the manner proposed, the resulting structure would not realize "a process for the production of a unitary absorbent core" set forth in claim 29, having "a fibrous absorbent layer with an upper fluid receiving surface and a lower surface with a hydrophobic vapor-transmissive moisture barrier integral with the lower surface of the absorbent layer." Hoey and Graef II also do not realize the further limitation to claim 29 "wherein the fibrous stratum contains fifty percent or more by weight of eucalyptus fibers" (see claim 41). While Graef II teaches a fibrous composite having three strata (§ 0027), Graef II provides no teaching of the unitary structure having a surface with a hydrophobic vapor-transmissive moisture barrier integral therewith. Thus, Graef II if combined with Hoey would not realize the benefits of the presently claimed invention. Accordingly,

applicants respectfully request withdrawal of the rejection of claim 41 as obvious over Hoey in view of Graef II.

XV. HOEY IN VIEW OF WOON

Claim 42 stands rejected under 35 U.S.C. § 103(a) as obvious over Hoey in view of U.S. Patent Application No. 2002/0019614 A1 to Woon, *et al.*, ("Woon"). The Examiner contends it would be obvious that the absorbent core comprising one or more strata which are multi-bonded with an emulsion polymer binder and thermal bio-component fiber binder of Woon be used in Hoey's invention in order to provide a stronger absorbent core.

Applicants respectfully traverse this rejection.

Hoey and Woon jointly do not teach the advantages of the presently claimed invention. If combined in the manner proposed, the resulting structure would not realize the process set forth in claim 29, that is, "a process for the production of a unitary absorbent core having ... a fibrous absorbent layer having an upper fluid receiving surface and a lower surface with a hydrophobic vapor-transmissive moisture barrier integral with the lower surface of the absorbent layer," let alone the further limitation in dependent claim 42 setting forth "wherein the unitary absorbent core comprises one or more strata which are multibonded with an emulsion polymer binder and thermal bicomponent fiber bonder." While Woon teaches a multicomponent absorbent structure (¶ 0062), Woon provides no teaching of the absorbent structure having a surface with a hydrophobic vapor-transmissive moisture barrier integral therewith. Thus, Woon combined with Hoey would not realize the benefits of the presently claimed invention. Accordingly, applicants respectfully request withdrawal of the rejection of claim 42 as obvious over Hoey in view of Woon.

CONCLUSION

Applicants respectfully request entry of the foregoing remarks and withdrawal of the rejections under §103. None of the references provide a teaching or suggestion of a highly breathable unitary absorbent core comprising a fibrous absorbent layer having a "lower surface with a hydrophobic vapor-transmissive moisture barrier *integral* with the lower surface of the absorbent layer." Moreover, when a rejection depends on a combination of prior art references, there must be

some teaching, suggestion, or motivation to combine the references. In this instance, all of the rejections depend upon a combination of prior art references; however, none of the references suggest combining the references to arrive at the presently claimed invention. Accordingly, allowance of claims 1-30 is earnestly solicited.

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